

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
WILLIAM DIAZ and DANIQUE LEWIS a/k/a
DARRYL SMITH,

Plaintiffs,

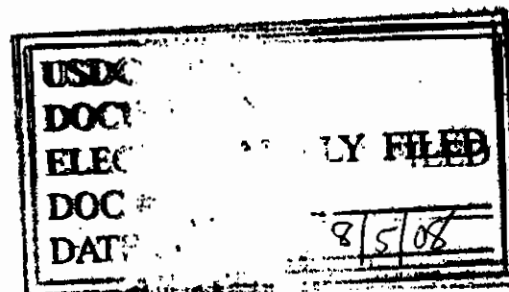
08 Civ. 4391 (DC)

- against -

CITY OF NEW YORK; Commissioner MARTIN F. HORN;
Chief of Department CAROLYN THOMAS; Deputy
Commissioner RICHARD R. WHITE; Executive Officer
VINCENT CAPUTO; Chief of Facility Operations PATRICK
WALSH Officer BUDDY BUSH, Shield # 12945; Officer
TOBIAS PARKER, Shield # 4447; Officer SHAWN CORT,
Shield # 15418; Officer CALVIN DEVINE, Shield # 10955;
Captain MARK DANIELS, Shield # 522; Officer FRITZ
MONTREVIL, Shield # 12836; JASON MENDEZ,
Shield # 13891; Officers JOHN/JANE DOES # 1-5,

**WRIT OF HABEUS
CORPUS AD
TESTIFICANDUM**

Defendants.
----- X



TO:

- ▶ SUPERINTENDENT, WASHINGTON CORRECTIONAL FACILITY
- ▶ COMMISSIONER, NEW YORK STATE DEPARTMENT OF
CORRECTIONAL SERVICES

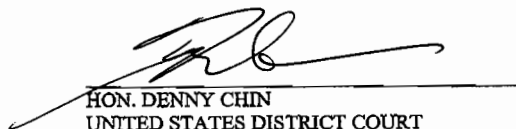
GREETINGS:

The Commissioner of the New York State Department of Correctional Services
and the Superintendent of Washington Correctional Facility are hereby commanded to transport
DANIQUE LEWIS a/k/a DARRYL SMITH, DIN 08A1529 (DOB: 12/29/87), now incarcerated
in Washington Correctional Facility at Comstock, New York, and deliver him to the Department
of Psychiatry at Columbia University, New York, New York 10022, where he will be registered
as a patient and examined by consulting expert Wilfred van Gorp, Ph.D. at 9:00 a.m. on
Thursday, August 21, 2008. This exam will be completed no later than 5:00 p.m.

During said examination DARRYL SMITH shall not be restrained by handcuffs, foot-shackles or any other restraints where medically appropriate or necessary. Upon completion of said examination, DARRYL SMITH shall be restrained in accordance with the policy of New York State Department of Correctional Services.

Upon completion of said examination, DARRYL SMITH shall be remanded to the Commissioner of the New York State Department of Correctional Services pursuant to whose directions officers of the Department of Correctional Services shall effect his return to the Washington Correctional Facility, New York, or such other place as the Commissioner may direct, under safe and secure custody.

ALL OF THE ABOVE IS SO ORDERED.


HON. DENNY CHIN
UNITED STATES DISTRICT COURT

Dated: New York, New York
August 5, 2008